

NO. 45501-3-II

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON  
DIVISION TWO

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STATE OF WASHINGTON,

Respondent,

v.

EDWARD STEINER  
Appellant.

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ON APPEAL FROM THE SUPERIOR COURT OF THE  
STATE OF WASHINGTON FOR CLALLAM COUNTY

The Honorable George Wood, Judge

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BRIEF OF APPELLANT

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A. ASSIGNMENTS OF ERROR

1. The state failed to prove the element of reasonable fear that the threat to kill would be carried out in the charge of felony harassment.

2. The trial court abused its discretion by admitting evidence of prior assaultive behavior when the state failed to prove the prior behavior occurred.

3. The trial court abused its discretion by admitting evidence of prior assaultive behavior when the state failed to prove the evidence was relevant to prove the reasonableness of the officer's fear element of the crime of felony harassment.

4. The trial judge violated the canons of judicial conduct by relying on personal information to find that the state established the prior misconduct for the ER 404(b) analysis.

5. The trial court failed to conduct an ER 403 analysis and the record is insufficient to permit meaningful appellate review.

Issues Presented on Appeal

1. Did the state fail to prove the element of the officer's reasonable fear that the threat to kill would be carried out by relying on unrelated past assaultive behavior that was did not involve assaults of an a officer or assaults with a weapon?

2. Did the trial court abuse its discretion by admitting evidence of prior assaultive behavior when the state failed to prove the prior behavior occurred?

3. Did the trial court abuse its discretion by admitting evidence of prior assaultive behavior when the state failed to prove the evidence was relevant to prove the reasonableness of the officer's fear element of the crime of felony harassment?

4. Did the trial judge violate the canons of judicial conduct by relying on personal information to find that the state established the prior misconduct for the ER 404(b) analysis?

5. Was appellant prejudiced where the trial court failed to conduct an ER 403 analysis and the record is insufficient to permit meaningful appellate review?

B. STATEMENT OF THE CASE

During the morning of July 5, 2013, Edward Steiner was drunk, belligerent and verbally abusive while walking the streets of Port Angeles. RP 66-67, 81-83. Mr. Steiner was drinking in public, yelling at people before 8:00am when officer Heuett was first dispatched to the scene where officer Heuett cited Mr. Steiner for drinking in public and littering. RP 80-83.

Officer Heuett was dispatched a second time to Mr. Steiner who was again drinking and yelling in public. This time Officer Heuett poured out the alcohol Mr. Steiner had in a can and told Mr. Steiner to throw the can in the garbage and go on his way. Id. The third contact came after officer Heuett was dispatched to the Post Office to investigate a window smashing. RP 84.

Officer Heuett saw Mr. Steiner who matched the description of the suspect involved in the Post Office incident, and arrested Mr. Steiner with the assistance of Sergeant McFall. RP 84, 124-125. Donald Sargent the supervisor at the Post Office testified that Mr. Steiner was agitated and bothering people in front of the Post Office and in the drive thru area when Mr. Sargent asked Mr. Steiner to leave. RP 51-52. After Mr. Steiner explained that he wanted to check his general delivery mail, Mr. Sargent escorted Mr. Steiner into the Post Office. RP 53. According to Mr. Sargent there was no general delivery mail for Mr. Steiner. RP 53. According to Mr. Steiner who frequently visits the Post Office to check his mail, Mr. Sargent never looked for Mr. Steiner's mail but simply pretended to check and then informed Mr. Steiner that he did not have mail. RP 163. Mr. Steiner became frustrated because he was waiting for an important letter and was certain that Mr. Sargent did not check general delivery to determine if the letter arrived. Id. Mr. Steiner admitted to breaking two windows at the Post Office. Id.



After Officer Heuett placed Mr. Steiner in handcuffs, Mr. Steiner became agitated and started cursing. RP 126-127. Sergeant McFall did not hear any threats, just cursing. Id. Before Sergeant McFall left the scene, officer Roggenbuck arrived to assist with the arrest. Officer Roggenbuck heard Mr. Steiner threaten to kill officer Heuett but Sergeant McFall testified that she would not have left the scene if it was not secure. RP 126-127, 130-131, 156.

On route to the jail and hospital to treat Mr. Steiner's cut hand, but before arriving at the hospital where Mr. Steiner was not treated, Mr. Steiner threatened to shoot officer Heuett with his shot gun. Officer Heuett told Mr. Steiner that the weapon was a rifle not a shotgun, so Mr. Steiner said he would shoot officer Heuett with the rifle but officer Steiner did not believe that Mr. Steiner would shoot him. RP 110-111.

Mr. Steiner also threatened to "shank", "kill" and "cut" officer Heuett's "throat. RP 88, 91. After leaving the hospital, several blocks before reaching the jail, Mr. Steiner told officer Heuett that he was "not going to make it to jail" or "make the next turn". RP 92, 102. At this point, Officer Heuett began to wonder if his thorough filed search missed something. RP 99-100. Before this point, officer Heuett had no concerns about the adequacy of his search. RP 107-109. Officer Heuett did not believe that Mr. Steiner

would carry out any of the verbal threats articulated during the arrest or during the first part of the transport to the hospital and jail. RP 109-111. Mr. Steiner was in double handcuffs behind his back sitting in the back locked portion of the patrol car. RP 128, 139, 149.

After leaving the hospital during the 1.5 to 2 minute ride to the jail, officer Heuett became "concerned" that he might have missed a weapon during his search of Mr. Steiner. RP 96-97, 141. Officer Heuett testified that he was "nervous" and took Mr. Steiner's threats "seriously". RP 97, 99.

Q. So, before you took him to the hospital, the threats that you say he conveyed, they didn't seem as serious?...

A. They were more of a concern at a later date, whereas the statements that he made from the hospital to the jail were statements that made me immediately worried.

RP 109-110

Q. Did you decide he had a firearm somewhere else on his person?

A. I found it to be a possibility with the way he was talking.

RP 112

Okay, and why were you taking these threats seriously

A. Uh, the threats of using a shank on me or

cutting my throat, those are means available to him. Anyone can purchase pocket knives or blades. Anyone can sharpen an object into being a shank. So this isn't I'm going to hit you with an airplane and I'm going to blow up your house with some complex bomb. This is I'm going to stab you or I'm going to cut your throat. So those ones being means (sic) that I'm sure are available to him I found concerning, also by his demeanor. Also his statements about you're not going to make it to the jail.

I went through the short list of things in my head that could cause that, um, and there have been -- well, um -- I was certainly concerned that there was a possibility that he could have a firearm. So I was nervous that, you know, he was going to be able to reach something that I wasn't aware of while we were driving to the jail.

Q. Okay. And did you think that he would be capable of carrying this out?

A. Yes.

Q. Why?

A. Which one?

**Q. Okay, did you think that he would be capable of possibly carrying this out?**

**A. Yeah. Either one were real possibilities to me**

Had you ever encountered Mr. Steiner before this day?

A. I don't believe so.

Q. Okay. Now at this point, was there any other information you were relying on that made you think it was possible that he would carry through with his threats?

MR. GASNICK: Objection, hearsay.

THE COURT: I think this is what we talked about earlier and I will overrule the objection.

Q. You may answer?

A. Um, I've had conversations with other officers in my department speaking about cases in which Mr. Steiner was involved in assaults and also making

threats.

Q. Okay. And what about this information that you received from other officers made you pay attention to these threats?

A. I've been involved in at least one case that I can think of where a lady had a lot to drink, was making a lot of statements, was being extremely rude, was acting completely out of character, you know, saying this or that and swearing at officers and such, and then the next day realized what she'd done and was very apologetic, very embarrassed. This

is something that sometimes happens, someone makes a comment that is out of character, they had no intention of following up on that threat but afterwards they go oh, I'm so embarrassed, it's not me, I don't do that sort of thing.

**Uh, it's my perception that someone with a history of assaultive behavior, I think that a pattern like that suggests that there's a lot more danger, a lot more reality when someone's making the threat.**

(Emphasis added) RP 98-102.

Even though officer Heuett testified that he became nervous about Mr. Steiner's threats, he did not check Mr. Steiner's handcuffs at the hospital, he did not call dispatch to inform them that Mr. Steiner was dangerous and he could not recall ever telling the jail officers that Mr. Steiner was dangerous.  
RP 138-141, 148, 149.

ER 404 Hearing

Over objection, the trial court admitted, for the purpose of proving the reasonableness of officer's Heuett's fear, hearsay statements that other officers claimed that Mr. Steiner was assaultive. RP 31, 32, 35, 42-44. Officer Heuett never heard any claims that Mr. Steiner assaulted a police officer or used a weapon. RP 34, 143. Officer Heuett had no personal knowledge that Mr. Steiner had a history of prior assaults against other residents of the half-way house Malone Heights, but heard this from other officers. RP 30, 32-34.

The trial court admitted the hearsay information regarding Mr. Maloney's prior assaultive behavior finding that the state proved that the prior assaultive behavior occurred even though officer Heuett had no personal knowledge. RP 42. Rather the trial judge remembered presiding over a prior harassment case of Mr. Steiner's involving the Maloney Heights house. RP 43.

But I think when I questioned Officer Heuett, specifically he said from other officers he is aware-- because this was his first contact with Mr. Steiner, but prior to his contact with Mr. Steiner, he was aware from other officers that he has demonstrated in the past assaultive behavior and made threats to other residents at Maloney Heights. And I think there's no issue as to whether or not that occurred or not, **I know for certain that Mr. Steiner has numerous convictions for harassment on his record, and I think I tried one of them with regards to some neighbors there at Maloney Heights. I can't recall specifics, but I do recall that was the case. So I don't think that's an issue as to whether or not that was true or not**, so, I am going to let Officer Heuett testify that he

was aware from other officers within the law enforcement community that there'd been incidents of assaultive behavior and threats to residents at Maloney Heights

(Emphasis added) RP 42-43.

I am going to let Officer Heuett testify that he was aware from other officers within the law enforcement community that there'd been incidents of assaultive behavior and threats to residents at Maloney Heights. I'm not going to allow in the fact that he was kicked out because I think that's an issue – whether or not that's true or not I don't know, but there's got to be some basis for that. But I think the assaultive behavior and threatening to other residents is the issue.

...

THE COURT: All right, I think based on the Bergen case, the limited dissertation as to -- or statements made concerning what Officer Heuett knew about the defendant and how it affected his perception of the statements that were made to him is admissible for the limited purposes of just that.

RP 43-44.

Mr. Steiner was convicted as charged of felony harassment threat to kill and malicious mischief. CP 8. This timely appeal follows. CP 6.

C. ARGUMENTS

1. THE STATE VIOLATED MR. STEINER'S DUE RPROCESS RIGHTS BY FAILING TO PROVE BEYOND A REASONABLE DOUBT THAT DEPUTY HEUETT

REASONABLY FEARED THAT MR. STEINER WOULD CARRY OUT A THREAT TO KILL, AN ESSENTIAL ELEMENT OF FELONY HARASSAMENT.

a. Standard of Review

Constitutional questions are reviewed de novo. *State v. Schaler*, 169 Wn.2d 274, 282, 236 P.3d 858 (2010). Evidence is sufficient to support a conviction if, viewed in the light most favorable to the State, it permits any rational trier of fact to find the essential elements of the crime beyond a reasonable doubt. *State v. Montgomery*, 163 Wn.2d 577, 586, 183 P.3d 267 (2008). A claim of insufficiency admits the truth of the State's evidence and all reasonable inferences that can be drawn therefrom. *State v. Turner*, 103 Wn.App. 515, 520, 13 P.3d 234 (2000).

b. Due Process Requires the State Prove Beyond a Reasonable Doubt Each Essential Element of the Crime Charged.

The due process clause of the Fourteenth Amendment requires the state to prove every element of an offense beyond a reasonable doubt. U.S. Const. Amend XIV; *In re Winship*, 397 U.S. 358, 364, 90 S.Ct. 1068, 25 L.Ed.2d 368 (1970).

To prove felony harassment, threat to kill under RCW 9A.46.020, the state was required to prove beyond a reasonable doubt that (1) the defendant threatened to kill a person and (2) the person was placed in reasonable fear that the threat to kill him would be carried out. *State v. C.G.*, 150 Wn.2d 604, 607-608, 610, 80 P.3d 594 (2003). It is not sufficient to prove that the person threatened reasonably feared that some form of bodily harm would be inflicted. *C.G.*, 150 Wn.2d at 609-610. The person threatened must fear that the defendant will carry out the threat to kill and the victim's fear must be objectively reasonable. *State v. Barragan*, 102 Wn.App. 754, 759, 9 P.3d 942 (2000); *C.G.*, 150 Wn.2d at 609-610.

c. The State Failed to Prove That Officer Heuett Reasonably Feared that Mr. Steiner Would Carry Out a Threat to Kill.

In this case, the state failed to prove that officer Heuett's fear that Mr. Steiner would kill him was reasonable from an objective perspective. *Id* Officer Heuett knew from his three contacts with Mr. Steiner that he had been drinking and yelling at people all morning but officer Heuett never expressed any safety concerns during these contacts until 1.5 minutes before arriving at the jail with Mr. Steiner. RP 81-83, 141. Mr. Steiner was however extremely belligerent, but at all times, Mr. Steiner was secured in the back



seat of the patrol car in double handcuffs following what officer Heuett described as a “very thorough” field search. RP 85-86, 103, 137-139

Officer Heuett explained that his one of his concerns related to the adequacy of his field search of Mr. Steiner and the fact that anyone could purchase a knife, but he never testified that he actually believed that Mr. Steiner would kill him. Rather he said he had growing concerns that he might have missed something when he conducted a field search of Mr. Steiner. RP 105, 138. In colloquial terms, Mr. Steiner was just “spewing”.

Despite these growing concerns, officer Heuett did not behave as though he believed Mr. Steiner was going to carry out his threat to kill. Officer Heuett did not alert dispatch or the hospital staff to his concerns; he did not ask for back up assistance and he did not make any effort to communicate his concerns to the jail staff. RP 139, 141. However, even if officer Heuett actually believed that Mr. Steiner was going to kill him, this fear was not reasonable under the circumstances because the police thoroughly searched Mr. Steiner prior to placing him in handcuffs and he was secured in the back of the patrol car. RP 103, 137-138.

Officer Heuett’s increasing concern was more akin to a generalized nervousness about the possibility that Mr. Steiner **could** carry out his threat rather than a reasonable belief that Mr. Steiner **would** carry out his threats.

RP 100.

Close examination of officer Heuett's testimony supports this conclusion. Officer Heuett testified that he paid attention to Mr. Steiner's threats because there "were real possibilities" that Mr. Steiner might "possibly" be capable of carrying out the threat to use a shank and "there was a possibility that he could have a firearm." RP 99-100.

Uh, it's my perception that someone with a history of assaultive behavior, I think that a pattern like that suggests that there's a lot more danger, a lot more reality when someone's making the threat.

RP 101-102.

Here the possibility of carrying out the threat did not establish the element that officer Heuett reasonably feared that Mr. Steiner would carry out his threat. *C.G.*, 150 Wn.2d at 606, 610.

*C.G.* is similar to this case because therein when the vice-principal escorted *C.G.* from class, she said, "I'll kill you Mr. Haney, I'll kill you[]" but the vice principal only testified that he had "concern" that *C.G.* "might try to harm him." *C.G.*, 150 Wn.2d at 607. *C.G.*, also "became angry, used profanity, and, when ordered to sit in a study carrel for a time out, kicked the carrel, moved her chair, and made other noise." *C.G.*, 150 Wn.2d at 607.

The issue in *C.G.* was whether, under the harassment statute, RCW

9A.46.020, a conviction for felony harassment based upon a threat to kill requires proof that the person threatened was placed in reasonable fear that the threat would be carried out. *C.G.*, 150 Wn.2d at 606, 80 P.3d 594. The State Supreme Court held that such proof is required and that C.G.'s conviction required reversal because there was no evidence that the victim was placed in reasonable fear that C.G. would kill him. *Id.*

Here, Mr. Steiner like C.G., was angry and belligerent; he threatened to kill officer Heuett, but as in *C.G.*, the state failed to prove that officer Heuett reasonably feared that Mr. Steiner would carry out his threat to kill him. Officer Heuett testified that he was concerned that he might have missed something during the filed search, and that Mr. Steiner might be capable of carrying out his threat, but he never testified that he believed Mr. Steiner would kill him RP 99-102. Moreover, the possibility that Mr. Steiner might carry out his threat to kill did not establish that officer Heuett believed Mr. Steiner **would** carry out his threat in much the same manner that the Court in *C.G.* held that the vice-principal's fears that C.G. **might** try to harm him, were insufficient to establish a reasonable fear that a threat to kill would be carried out. *Id.*

2. THE TRIAL COURT ABUSED ITS  
DISCRETION BY ADMITTING ER 404(B)  
EVIDENCE OF PRIOR ASSAULTIVE

BEHAVIOR TO PROVE AN ELEMENT OF  
FELONY HARRASSMENT WITHOUT  
REQUIRING THE STATE TO SATISFY  
THE ER 404(B) CRITERIA AND WITHOUT  
CONDUCTING A PROPER ER 403  
ANALYSIS.

The trial court abused its discretion by admitting hearsay evidence that officer Heuett had learned from other officers that Mr. Steiner had a history of assaults at Maloney Height residential home, to prove that officer Heuett reasonably feared Mr. Steiner would carry out his threat to kill him. RP 29, 32-34. The trial court should have suppressed the prior bad acts evidence because the state did not prove the prior acts occurred or that they were relevant, both required criteria under ER 404(b). Additionally, the trial court failed to conduct an ER 403 analysis.

a. Standard of Review

Evidentiary rulings, including those under ER 404(b), are reviewed for abuse of discretion. *State v. DeVincentis*, 150 Wn.2d 11, 17, 74 P.3d 119 (2003). Discretion is abused if it is exercised on untenable grounds or for untenable reasons. *State ex rel. Carroll v. Junker*, 79 Wn.2d 12, 26, 482 P.2d 775 (1971) (*superseded by statute on other grounds in RCW 71.05.390*)).

b. ER. 404(b) Prohibits Prior Bad Acts to Prove Propensity

ER 404(b) is a categorical bar to admission of evidence of prior

misconduct for the purpose of proving a person's character and showing that the person acted in conformity with that character. *State v. Gresham*, 173 Wn.2d 405, 420, 269 P.3d 207 (2012). The purpose of the rule is to prohibit the admission of such evidence to show that the defendant is a “criminal type” and thus likely guilty of committing the crime charged, while allowing its admission for other, legitimate purposes such as proof of motive or intent. *State v. Lough*, 125 Wn.2d 847, 853, 889 P.2d 487 (1995).

To admit evidence of other crimes under ER 404(b), the trial court must (1) find by a preponderance of the evidence that the misconduct occurred, (2) identify the purpose for which the evidence is sought to be introduced, (3) determine whether the evidence is relevant to prove an element of the crime charged, and (4) weigh the probative value of the evidence against its prejudicial effect. *State v. Pirtle*, 127 Wn.2d 628, 648–49, 904 P.2d 245 (1995). Here the state failed to criteria (1), (3) and (4).

c. The State Did Not Establish That the Prior Bad Acts Occurred.

The state sought to admit Mr. Steiner’s prior assaultive behavior, “bad acts” to establish that officer Heuett’s fear that Mr. Steiner would kill him was reasonable. The state did not prove the prior assaults occurred, rather the trial judge offered that he was personally aware of prior harassment charges

because he was the judge who presided over a prior trial. RP 43. The trial judge could not however recall any specific facts from that prior trial. Id. The trial judge's personal information was not evidence the court could consider in making its ruling. Code of Judicial Conduct 3.3 (CJC).

CJC 3.3 prohibits a trial judge from acting as a character witness. Id.

A judge shall not act as a character witness in a judicial, administrative, or other adjudicatory proceeding or otherwise vouch for the character of a person in a legal proceeding, except when duly summoned.

Id.

The state 's evidence provided that officer Heuett had no knowledge of prior assaults other than hearsay. RP 32-34. Officer Heuett did not know if Mr. Steiner was ever convicted of prior assaults, he did not know of any prior assault with a weapon or against an officer. Id. The trial judge's personal opinion that Mr. Steiner had committed prior misconduct was inadmissible and did not establish by a preponderance of evidence Mr. Steiner's prior misconduct. In short, the state failed to establish the first ER 404(b) criteria that the misconduct actually occurred. ER 404(b).

d. The State Did Not Establish That the Prior Bad Were Relevant

The allegations of prior assaults in this case were qualitatively different than the instant case involving assaultive behavior against other residents at the Maloney Heights. RP 27-34. To be admissible under ER 404(b)(3) the evidence must be relevant to prove an element of the crime charged. *Id.* Assuming for the sake of this argument only that the prior assaultive behavior occurred, it is not relevant to prove any element of the crime of felony harassment. Specifically, the fact of prior assaultive behavior against housemates is not relevant to prove the reasonableness of officer Heuett's fear because the prior assaultive behavior never involved a weapon, was never against a police officer, and there was no evidence that any prior threat was ever carried out.

In *Barragan*, Division Three of this court held that evidence of the defendant's prior assaults was admissible to prove the reasonable fear element of felony harassment when the victim, another inmate, had both witnessed the prior assaults of the same kind, against other inmates, and had knowledge of other assaults against inmates. *Barragan*, 102 Wn.2d at \_\_\_\_

Mr. Steiner's case is distinguishable because here unlike in *Barragan*, officer Heuett did not witness any assaults, there was no evidence that any prior assault was ever carried out, rather the allegations was "assaultive behavior" against prior housemates as a halfway house. RP 27-34. Another

significant distinction is that in *Barragan*, the victim was an inmate and the other victims in the prior instances were also inmates, whereas here, the type of assaultive behavior was completely unrelated to the threats made in the police car.

Evidence of Mr. Steiner's prior assaults against house mates was not relevant for the purpose of proving that officer Heuett reasonably feared Mr. Steiner would carry out his threats to kill him. RCW 9A.46.020; *Barragan*, 102 Wn.2d at 759.

The trial court abused its discretion in admitting the prior assaultive behavior because the state failed to establish the criteria for admissibility under ER 404(b)(1), (3).

- e. The Trial Court Failed to Conduct an ER 403 Analysis on the Record to Determine Whether the Probative Outweighed the Prejudice.

ER 404(b) operates in conjunction with ER 403, which requires the trial court to exercise its discretion in evaluating whether relevant evidence is unfairly prejudicial. *Id.* This requires the court to weigh on the record, the probative value of the evidence against its prejudicial effect. *State v. Fisher*, 165 Wn.2d 727, 745, 202 P.3d 937 (2009); *DeVincentis*, 150 Wn.2d at 17; *State v. Binkin*, 79 Wn.App. 284, 290, 902 P.2d 673 (1995) (*overruled on*



*other grounds in State v. Kilgore*, 53 P.3d 974, 975, 147 Wn.2d 288, 291 (2002)). The failure to conduct an ER 403 analysis is prejudicial when effective appellate review is not possible due to an inadequate record. *Binkin*, 79 Wn. App. at 290.

I know for certain that Mr. Steiner has numerous convictions for harassment on his record, and I think I tried one of them with regards to some neighbors there at Maloney Heights. I can't recall specifics, but I do recall that was the case. So I don't think that's an issue as to whether or not that was true or not

RP 42-43. Here, the trial court did not analyze the limited evidence under ER 403, but rather simply said:

THE COURT: Okay. Uh, okay, I think that – the other analysis I need to make, Mr. Gasnick, is probative versus prejudicial. I think this is certainly more probative of the issue involved than it is prejudicial to Mr. Steiner. Certainly everything negative is prejudicial to some degree, but I think this has more probative value than prejudicial value.

MS. LUNDWALL: So, the Court is making the specific finding that the probative value substantially outweighs the prejudicial effect?

THE COURT: Yes.

RP 44

This record is too scant to permit appellate review because the trial court's reasoning for admitting the evidence is limited to the trial judge improperly

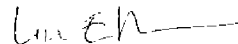
declaring that he was aware of prior harassment cases, which he substituted for state's evidence to prove the criteria in ER 404(b).

D. CONCLUSION

Mr. Steiner respectfully requests this Court reverse his conviction and remand for dismissal with prejudice based on the state's failure to prove the elements of felony harassment and in the alternative to remand for a new trial with an order for suppression of the ER 404(b) evidence.

DATED this 8th day of June 2014.

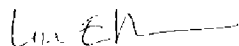
Respectfully submitted,



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LISE ELLNER  
WSBA No. 20955  
Attorney for Appellant

I, Lise Ellner, a person over the age of 18 years of age, served the Clallam County Prosecutor's Office Schrawyer, Lewis  
lschrawyer@co.clallam.wa.us a true copy of the document to which this certificate is affixed, on June 19, 2014. Service was made by electronically to the prosecutor and to Edward Steiner **Edward Steiner** General Delivery Joyce, WA 98343 by depositing in the mails of the United States of America, properly stamped and addressed.



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Signature

## ELLNER LAW OFFICE

**June 19, 2014 - 3:57 PM**

### Transmittal Letter

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Case Name: State v. Steiner

Court of Appeals Case Number: 45501-3

**Is this a Personal Restraint Petition?** Yes ☐ No

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☒ Brief: Appellant's

Statement of Additional Authorities

Cost Bill

Objection to Cost Bill

Affidavit

Letter

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Hearing Date(s): \_\_\_\_\_

Personal Restraint Petition (PRP)

Response to Personal Restraint Petition

Reply to Response to Personal Restraint Petition

Petition for Review (PRV)

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### Comments:

corrected defendant's address in declaration of service on brief.

Sender Name: Lise Ellner - Email: [liseellnerlaw@comcast.net](mailto:liseellnerlaw@comcast.net)

A copy of this document has been emailed to the following addresses:

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